IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.189 OF 2006
IN
WRIT PETITION NO.1862 OF 2005

Dharavi Vivekan & Co-op. Hsg.Soc. Ltd. ....Appellant
V/s.
State of Maharashtra & Ors. ....Respondents

Mr.C.P. Deogirikar for the Appellant.
Mr.Milind More, A.G.P. for Respondent Nos.1 and 5.
Mr.Vinod Mahadik for Respondent No.2.
Mr.Uttangale for Respondent Nos.3 and 4.
Mr.S.G. Surana for Respondent No.7.

CORAM : DR.S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.
DATED : 18TH APRIL, 2006.

P.C. :

1. Heard the learned counsel for the Appellants and the Respondents.

2. By this Appeal the Appellant is challenging the order dated 9.8.2005 passed by the learned single Judge declining to interfere with regard to the Writ Petition filed by the Appellant Society. It appears that both Respondent Nos.6 and 7 were found eligible by the Bombay Municipal Corporation as well as the Slum Rehabilitation Authority. Even the area certificates which they are entitled to, have already been issued by

the Slum Rehabilitation Authority. As per the certificates, Respondent No.6 will be entitled to 120 sq.ft. and Respondent No.7 will be entitled to 150 sq.ft.

3. The learned advocate for Respondent Nos.3 and 4 categorically states that Respondent Nos.3 and 4 are not concerned with the society to allot the said shops. It is for the concerned builder to allot these shops to Respondent Nos.6 and 7. Hence we do not find any ground to interfere. The Appeal is dismissed.

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)